

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

BRANDON FORD, ID # 1539859,)
Plaintiff,)
vs.) No. 3:10-CV-0390-L-BH
ELLIS REGISTER,)
Defendant.)

**RECOMMENDATION REGARDING REQUEST TO PROCEED
IN FORMA PAUPERIS ON APPEAL**

Pursuant to *Amended Miscellaneous Order No. 6* (adopted by *Special Order No. 2-59* on May 5, 2005), requests to proceed *in forma pauperis* are automatically referred.

Before the Court is *Motion Requesting Permission to Appeal In Forma Pauperis*, received June 7, 2011 (doc. 57), and Plaintiff's *Application to Proceed In Forma Pauperis* on appeal, along with his Certificate of Inmate Trust Account, received June 28, 2011 (doc. 60).

The request for leave to proceed *in forma pauperis* on appeal should be DENIED because the Court should certify pursuant to 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith.

If the Court denies the request to proceed *in forma pauperis* on appeal, Plaintiff may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). See Fed. R. App. P. 24(a)(5).

SIGNED this 30th day of June, 2011.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE